

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOE SIMON-WHELAN,

Plaintiff,

-against-

THE ANDY WARHOL FOUNDATION
FOR THE VISUAL ARTS, INC., et al.,

Defendants.

-and-

SUSAN SHAER,

Plaintiff,

-against-

THE ANDY WARHOL FOUNDATION
FOR THE VISUAL ARTS, INC., et al.,

Case No. 07 Civ 6423 (LTS) (AJP)

Case No. 10 Civ 373 (LTS) (AJP)

DECLARATION OF SUSAN SHAER

I, Susan Shaer, declare and certify the following:

1. I am the named plaintiff in the second of the above-captioned matters.
2. While I determined to terminate Browne Woods George LLP ("BWG"), one of my counsel in my action, I cannot consent to the firm's motion to withdraw as counsel for the reasons stated by Seth Redniss, co-counsel in his recent applications to the Court, which I have read.

3. Mr. Redniss was always part of a larger team that was backed by a law firm (BWG) with the financial and legal resources to litigate this case. It was never intended, that Mr. Redniss litigate this case alone, and I recognize that it is impossible for him to responsibly do so.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8th of September, 2010.



Susan Shaer